

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 518

Short Title: Animal Research Interference.

(Public)

Sponsors: Senators Murphy; Ballance, Blackmon, Forrester, Plexico, Plyler, Pollard, Sands, Smith, Speed, Staton, Tally, Ward, and Warren.

Referred to: Judiciary II.

April 10, 1991

A BILL TO BE ENTITLED

AN ACT TO DEFINE AND MAKE CRIMINAL INTERFERENCE WITH ANIMAL RESEARCH.

The General Assembly of North Carolina enacts:

Section 1. Article 22 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-159.2. Interference with animal research.

(a) It is unlawful for a person willfully to commit any of the following acts:

(1) The unauthorized entry of any research facility where animals are kept within the facility for research in the advancement of medical, veterinary, dental, or biological sciences, with the intent of (i) disrupting the normal operation of the research facility, or (ii) damaging the research facility or any personal property located thereon, or (iii) releasing or interfering with the care of any animal kept within the research facility; or

(2) The intentional damaging of any such research facility or any personal property located thereon; or

(3) The intentional unauthorized release of or interference with the care of any animal kept within any research facility.

(b) Any person who commits an offense under subsection (a) shall be guilty of a misdemeanor.

(c) Any person who commits an offense under subsection (a) that involves the release of any animal having an infectious disease shall be guilty of a Class J felony.

1 (d) In addition to, and not in lieu of, any of the foregoing provisions of this
2 section, a person who interferes with animal research is liable for, and shall be ordered
3 to make restitution to the owner of the animal for damages, including the cost of
4 restoring the animal to confinement and of restoring the animal to its health condition
5 prior to any release, and for damages to personal property, including materials,
6 equipment, data, and records, and real property caused by the interference.

7 If the interference causes the failure of an experiment, the person is liable for all costs of
8 repeating the experiment, including replacement of the animals, labor, and materials.

9 (e) Any research facility injured in its business or property by reason of a
10 violation of this section may recover actual and consequential damages from the person
11 or persons who have violated said section.

12 (f) Nothing in this act shall be construed to affect any rights or causes of action
13 of a person damaged through interference with animal research."

14 Sec. 2. This act becomes effective October 1, 1991, and applies to offenses
15 occurring on or after that date.